



Deval L. Patrick  
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# *The Commonwealth of Massachusetts*

## *Department of Public Safety*

*Architectural Access Board*  
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Thomas G. Gatzunis, P.E.  
Commissioner

Thomas P. Hopkins  
Director

### **Board Meeting Minutes – November 12, 2014**

### **Department of Public Safety Conference Room – 13<sup>th</sup> Floor, Room 1301**

#### **Present Board Members:**

- Walter White, Executive Office of Public Safety Designee, Chair (WW)
- Diane McLeod, Vice Chair (DM)
- Carol Steinberg, Member (CS)
- Andrew Bedar, Member (AB)
- George Delegas, Member (GD)

and

- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)
- Thomas Hopkins, Executive Director (TH)

#### **Members Not Present:**

- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)
- Myra Berloff, Massachusetts Office on Disability Director (MB)

- Meeting began at approximately 9:15 a.m.

#### **1) Discussion:** Roll Call

WW - Call to order all but Raymond Glazier and Myra Berloff not present

#### **2) Incoming:** Commercial First Floor Condo, 632 E. Broadway, South Boston (V14-294)

- TH - EXHIBIT – variance application and supplemental information
- spending over 30% in 3 years; full compliance required
  - variance to 26.6.1, sloped landing with 1:12 slope and automatic door openers proposed

CS - grant as proposed, on the condition that auto opener at interior and exterior

*DM - second – carries unanimously*

3) Incoming: Little Beginnings Preschool, 30 Floral St., Shrewsbury (V14-293)

TH - EXHIBIT – variance application and supplemental information

- First floor daycare, proposing to expand daycare to second floor (existing apartment)
- Change in use, seeking variance for 28.1, the building currently has a residential LULA elevator, but it will cost additional to expand LULA to second floor
- Will create 2 toddler rooms, 1 preschool room and an office at the second floor; majority of space at the first floor is the preschool spaces and fully accessible

*AB - grant on the condition that accommodate anyone unable to access the second floor at the first floor, all services at the first floor*

*GD - second – carries unanimously*

4) Incoming: Boston Convention and Exhibition Center, 415 Summer Street, Boston (V14-300)

TH - EXHIBIT – variance application and supplemental information

- Proposing one event per year where the occupancy will require more toilet rooms, so they are bringing trailers onto the property to accommodate; they are proposing 7 men's and women's combination trailers and one men's trailer with toilet rooms
- All of the trailers except one are placed at the entrances at the existing bathroom entrance
- Commission supports, on the condition that two separate individual unisex toilet rooms by the existing toilet rooms as well

*DM - grant as proposed*

*GD - second – carries unanimously*

5) Discussion: Residential Building, 115 Mt. Auburn Street, Cambridge (V12-170)

TH - EXHIBIT e-mail from Larry Braman, City of Cambridge on October 9, 2014, objecting to the project

- In 2012 the Board granted a variance for the elevator cab size and the lack of an accessible entrance

**Raymond Glazier, Executive Office on Elder Affairs Designee (RG)**

- In 2013, asked for amendment for nosings and stair handrails
- All appeals periods have expired for both reviews
- There was no figure on the variance application in 2012, and they have recently applied for the building permit and a figure for the spending was on the application
- At the time of the initial variance application, the petitioners conceded to 30%, so the matter was reviewed as a case where the work was over 30%

*RG - take no action, but commend Larry Braman for his attention to detail*

*AB - second – carries with CS opposed*

6) Incoming Discussion: St. Paul's Church, 16 Fair Street, Nantucket (V14-149)

TH - EXHIBIT – October 31, 2014 email from John Stover, seeking extension of temporary CO that expired on September 15, 2014

- Hearing is scheduled for January 26, 2015 to discuss the variances requested
- Seeking a temporary CO extension to February 10, 2015 or longer

*DM - extend temporary certificate of occupancy to January 26, 2015, on the condition that the Board receives signed-off confirmation that each member of the church building committee has received a copy of the documents previously forwarded by T. Hopkins regarding prior cases*

*AB - second – carries unanimously*

7) Incoming Discussion: Papas Law Library and Auditorium, 765-767 Commonwealth Ave., Boston (V14-252)

TH - first review on October 6, 2014, voted to schedule a hearing for January 26, 2015  
- seeking another administrative review prior to scheduled hearing  
- EXHIBIT – Paul Rinaldi, October 17, 2014 letter requesting additional review  
- first variance is 26.6.3, doors to 5 of the 21 existing law library study rooms

DM - widths of the doors in question?

*CS - grant the variance for 26.6.3 for 5 of the 21 existing law library study rooms to remain as they exists*

*AB - second – carries unanimously*

TH - existing stack width, standard operating procedure is to have the staff retrieve books for people within 1-2 hours  
- Variance for Section 12.2.6 of 521 CMR

*CS - grant on the condition that the book retrieval time is a half hour or less for books requested*

*RG - second – carries unanimously*

TH - Section 14.4.6, auditorium path of travel to the stage  
- No accessible route between the upper seating level and the teacher level  
- Have to leave the building to get between the two levels on an accessible path of travel  
- Wheelchair seating locations at front and back of the auditorium

*DM - grant as proposed in option D, and ensure that there is no stage/platform, if stage/platform is provided must be accessible*

*AB - second – carries unanimously*

TH - 521 CMR 27.4, seeking variance for handrails only at the exterior walls of the auditorium aisles

*DM - grant as proposed*

*AB - second – carries unanimously*

TH - allow existing toilet rooms to remain, three new single user unisex accessible toilet rooms will be provided, with directional signage provided directing people to the accessible toilet rooms

*RG - grant as proposed*

*CS - second – carries unanimously*

*DM - cancel the scheduled hearing*

*AB - second – carries unanimously*

## CS left the room

8) Incoming: Olmsted Place, 161 South Huntington Avenue, Jamaica Plain (V14-286)

TH - EXHIBIT – variance application and supplemental information  
- new building with 196 apartments  
- construction is 21% complete  
- seeking variances for 20.1 and 22.4.2 for a walkway across the site  
- the walkway is designed with stairs to connect South Huntington Avenue to the Jamaica Way for the neighborhood

RG - deny

AB - second – carries unanimously

9) Incoming: Russian School of Mathematics, 1615 Beacon Street, Brookline (V14-292)

TH - EXHIBIT – variance application and supplemental information  
- Over 30% of value, so full compliance required  
- First floor will be accessible, but second floor will occupy 654 square feet of classroom space

DM - grant on the condition that accommodation policy is submitted regarding the availability of accommodating people unable to access the second floor classroom at first floor; within 14 days receipt of the decision of the board

RG - second – carries unanimously

10) Incoming: Russian School of Mathematics, 1615 Beacon Street, Brookline (V14-292) – cont'd

TH - seeking variance for all but one of the existing entrances, with one accessible entrance proposed with an interior lift

DM - grant on the condition that the accessible entrance is open at the same times as all other entrances to the building

AB - second – carries

TH - use of incline wheelchair lift to create access into the building from the accessible entrance

DM - grant as proposed

AB - second – carries unanimously

## CS now present

TH - variance for the 2 existing bathrooms that are not compliant (men's and women's); both are raised up 4 risers from the main floor

- Proposing accessible unisex toilet room at main hall

DM - grant both variances requested, on the condition that directional signage posted

AB - second – carries unanimously

TH - variance for winder stairs, compliant handrails provided

DM - grant as proposed

AB - second – carries unanimously

11) Incoming Discussion: St. Spyridon Food Bank, 102 Russell Street, Worcester (C14-069 & V14-237)

- TH - EXHIBIT- plan submittal to fix the accessible entrance, submitted on October 24, 2014
- They fixed the concrete steps at the front entrance, completely removed and re-poured
  - The existing accessible entrance is at the rear of the building
  - Walkway to the rear accessible entrance, parking is mildly out of compliance (2.3% instead of required 2%)

*DM - grant the variances requested, on the condition that the rear accessible entrance is unlocked and lit during hours that the food bank is open, and a written accommodation policy is submitted regarding the accommodations that will be provided upon request for people unable to open the existing accessible entrance door*

*AB - second - carries unanimously*

12) Discussion: Glass Factory Condominium Parking, 169 Monsignor O'Brien Highway, Cambridge (C13-091)

*DM - reopen*

*CS - second – carries unanimously*

*DM - garage accessible parking space be provided by January 1, 2015*

*AB - second – carries unanimously*

*DM - provide more information regarding the doors in question, by January 1, 2015*

*AB - second – carries unanimously*

*DM - expedite*

*RG - second – carries unanimously*

13) Incoming Discussion: McGauvran Hall, UMass Lowell, 71 Wilder St., Lowell (V14-243)

- TH - EXHIBIT – October 28, 2014 submittal from Peter Harrod for the installation of a LULA
- Still seeking a variance for the lack of access at the second floor entrance
  - \$300,000 to provide the LULA
  - Spending over 30%
  - There are other accessible entrances at the plaza
  - Entrance in question is a new entrance to replace existing entrance to the second floor

*CS - grant on the condition that the entrance from the Wilder Street crosswalk on the Broadway Street side of the building is made accessible, plan submitted showing the accessible entrance at this location by November 25, 2014*

*AB - second – carries unanimously*

14) Incoming: Sharon Town Hall, 90 South Main Street, Sharon (V14-282)

- TH - EXHIBIT – variance application and supplemental information
- seeking variance for incline wheelchair lift that traverses 3 floors
  - seeking platform size of 30” by 38”

*RG - deny*

*GD - second – carries unanimously*

TH - also proposing no seat on the incline wheelchair lift

*RG - deny*

*DM - second – carries unanimously*

TH - seeking variance for the lack of push side clearance at the lift entrance  
- No information about dimensions given

*CS - deny*

*AB - second – carries unanimously*

15) Incoming: Frost Library, Amherst College, 61 Quadrangle Drive, Amherst (V14-283)

TH - EXHIBIT – variance application and supplemental information  
- spending over \$100,000  
- seeking 3 variances for the existing ramp  
- 24.2.1, slope of the ramp is 1:15

*CS - grant as proposed*

*DM - second – carries unanimously*

TH - 24.4, ramp is 61 feet with no intermediate level ramp

*DM - grant*

*AB - second – carries unanimously*

TH - 3 of the 4 extensions of the ramp (24.5.4) extend 3 inches instead of 12 inches, and one section extends only 8 inches

*AB - grant*

*GD - second – carries unanimously*

16) Incoming Discussion: Bright Stars Preschool, 240 Washington Street, North Easton (V13-179)

TH - at the original review, granted a time variance until November 1, 2014 for the ramp to be built into the preschool  
- now seeking 2 more years – EXHIBIT – letter on October 10, 2014 from Melissa DePasquale

*DM - deny the request for the extension of the deadline of completion of the ramp, and schedule a hearing where the owner of the building is required to attend*

*AB - second – carries unanimously*

17) Incoming: Columbus Park Prep Academy, 75 Lowell St., Worcester (V14-274)

TH - original review, required continuation to determine spending and jurisdiction  
- met with architect and building official on October 31, 2014, request of additional 60 days to submit review analysis of property

*AB - require submittal of 30% analysis and what will require variances and what will be brought into compliance, submit study within 60 days receipt of the decision of the Board*

CS - second – carries unanimously

TH - use of incline lift at the main entrance to the building

AB - grant as proposed

GD - second – carries unanimously

18) Incoming Discussion: Lone Star Taco Bar, 635 Cambridge St., Cambridge (V14-262)

TH - reviewed on 10/20/14 and voted to continue for more information regarding existing side entrance  
- EXHIBIT – plan submittal showing cross section accessible with a sloped landing of 27.4%, submitted via Aaron Sanders on October 31, 2014; e-mail from Aaron Lindsay on October 28, 2014, showing pictures of entrances and proposed signage

DM - grant as proposed, with lighting and open at same times as main entrance

GD - second – carries with CS opposed

19) Incoming Discussion: Johnson Building, Boston Public Library, 230 Dartmouth Street, Boston (V14-219)

TH - proposing a lift within the Johnson Building as a temporary means of access, while they close the main library entrance on Copley  
- Already approved the use of the lift  
- EXHIBIT – November 7, 2014 e-mail from Tom O’Brien of United Elevator, concerned with dimensions of the proposed lift

DM - lift design does not comply and need drawing showing compliant vertical wheelchair lift platform size and door configuration, submit compliant drawing by November 25, 2014

RG - second – carries unanimously

20) Incoming Discussion: Schofield Elementary School, 27 Cedar St., Wellesley (V14-168)

TH - granted variances for some doors on 10/20/14; playground plans due by 11/14/14  
- EXHIBIT – playground submittal by Jennifer Soucy on October 30, 2014  
- plans show the rubberized path of travel

DM - grant playground design as proposed, complete playground by April 15, 2015

GD - second – carries unanimously

21) Incoming: Old Town Hall, 43 Main St., Easthampton (V14-290)

TH - EXHIBIT – variance application and supplemental information  
- first floor renovations, spending \$305,000, but less than 30%  
- Seeking one variance for 521 CMR 30.7.1 regarding room 104, women’s toilet room 02; overall dimensions of the toilet room do not comply  
- Proposing automatic door opener on the toilet room door

DM - grant as proposed, on the condition that automatic door opener is provided

CS - second – carries unanimously

22) Incoming Discussion: First Parish Unitarian Universalist Church, 630 Mass. Ave., Arlington (V14-111)

TH - EXHIBIT – 10/28/14 e-mail from Peter Noble, regarding amendment ordered in the August 12, 2014 decision of the Board

- Previously granted the variances, and ordered that other changes in level be explored
- Proposing to continue to use the ramp to the stage, although not compliant, until further funding acquired for work on the sanctuary

*DM - can use the portable ramp shall be allowed to access the raised choir level area, on the condition that the ramp has a clear width of 36 inches minimum; and that the plan for compliance at the choir level area shall be submitted by November 1, 2015, and funding update by June 1, 2015*

*RG - second – carries unanimously*

23) Incoming: Memorial Stair, Tufts University, College Avenue, Medford (V14-298)

TH - EXHIBIT – variance application and supplemental information

- Built in 1929, \$1 million reconstruction project proposed
- Seeking variance for relief from accessible route in that location

*CS - grant as proposed*

*AB - second – carries with DM abstaining*

24) Incoming: Sidewalk Cross slopes, SW Corner of High St and Cambridge St., Winchester (V14-278)

TH - EXHIBIT – variance application and supplemental information

- Steep cross slopes at the back of the sidewalk, other portion is less than 2%

*AB - grant as proposed*

*DM - second – carries unanimously*

25) Discussion: Grafton Town House, One Grafton Common, Grafton (V10-081)

TH - EXHIBIT – October 24, 2014 submittal from Tim McInerney, Grafton Town Administrator

- First bids were \$1,000,000 over the estimates
- Rebidding the project and will send new bids as soon as possible

*AB - accept the report*

*GD - second – carries unanimously*

26) Incoming: Dilloway Thomas House, 183 Roxbury Street, Boston (V14-280)

TH - EXHIBIT – variance application and supplemental information

- historic site managed by DCR
- supported variance before plumbing board for this project
- jurisdiction is work performed
- variances for 1<sup>st</sup> and 2<sup>nd</sup> floor single-user unisex toilet rooms dimensions; gang bathrooms at the basement level are accessible and comply in full; there is elevator access to all floor of the building
- toilet rooms are 69” by 76”



*DM* - grant as proposed  
*AB* - second – carries unanimously

**Mark Dempsey, Compliance Officer for the Board present (MD)**

27) Discussion: Shopping Plaza, 231 North Main Street, Natick (C14-081)

MD - EXHIBIT – October 2, 2014 letter from Ann Soboluski requesting until September 30, 2015 to provide compliant walkway and entrances into the tenant spaces

- parking will be done as soon as possible
- still waiting on permits

*AB* - order that walkways and entrances compliant by June 1, 2015 and parking done by January 1, 2015  
*DM* - second – carries unanimously

28) Discussion: Parking at Kimball Farm, 1542 Lunenburg Road, Lancaster (C14-058)

MD - EXHIBIT – submittal September 29, 2014 showing new parking locations

- Parking was located in front of the store, parking no longer provided directly in front of the building; moved all of the parking to the side

*DM* - current parking configuration complies  
*AB* - second – carries unanimously

29) Discussion: Parking at Sandy Point State Reservation, Plum Island, Newbury (C13-076)

MD - EXHIBIT – photos from DCR received by the Board on September 26, 2014

- complaint regarding surface of accessible parking space, and location
- they have a rail at the front of the parking space that has a portion of the fence marked a “no parking” in red along the fence
- no delineation shown

*CS* - more information regarding the surface and proposed delineation from DCR  
*DM* - second – carries unanimously

30) Incoming: Press Box at Sabourin Field, 9 Muddy Way, Bedford (V14-285)

TH - EXHIBIT – variance application and supplemental information

- seeking a variance for no access to the press box

*DM* - deny  
*CS* - second – carries unanimously

31) Discussion: Schneider Center & Billings Hall Link Building, Wellesley College, 106 Central St., Wellesley (V14-141)

TH - EXHIBIT – 10/27/14 email from Amy Prange  
- required as part of the decision of the Board from the previous hearing

*DM - move to the November 17, 2014 meeting*

*CS - second – carries unanimously*

32) Incoming Discussion: Community Church of West Medway, 200 North Main St., Medway (V10-036)

TH - in 2010 ordered date of compliance for September 1, 2015  
- EXHIBIT - submittal from Betsey Nelson dated 10/26/14, seeking additional time

*DM - schedule a hearing*

*RG - second – carries unanimously*

33) Incoming Discussion: Manderva LLC, 46 Inn Street, Newburyport (V14-255)

TH - joined two tenant spaces, change in level between the two tenant spaces  
- Argued that the entrances are accessible at each level  
- Same issue at the Purple Onion in 2003, said the entrances are accessible, but can't get on the sidewalk to access the entrances  
- EXHIBIT – drawing of the ramp SK #4, dated 10/8/14

*DM - send a letter to the Manderva and the Purple Onion, as well as the City of Newburyport, regarding the availability to get onto the sidewalks in front of these two restaurants*

*AB - second – carries unanimously*

*DM - grant the use of the portable ramp as proposed*

*CS - second – provided it is stored on site and all employees know how to deploy the ramp – accepted by DM, carries unanimously*

34) Incoming: Richardson House, 28 Professor's Row, Somerville (V14-279); Sigma Nu Fraternity, 92 Professor's Row, Somerville (V14-287); Tousey House, 14 Edison Avenue, Medford (V14-288); Alpha Epsilon Pi, 45 Sawyer Avenue, Somerville (V14-289); Stratton Hall, 45 Talbot Avenue, Somerville (V14-291)

TH - EXHIBITS – variance applications and supplemental information

*CS - hearing for all those cases*

*AB - second – carries unanimously*

35) Discussion: Minutes and Decisions from October 20, 2014

KS - need a vote for the following cases

*GD - approve minutes and decisions*  
*AB - second – carries with CS abstaining*

- End of Meeting -

EXHIBITS:

- Commercial First Floor Condo, 632 E. Broadway, South Boston (V14-294) - variance application and supplemental information
- Little Beginnings Preschool, 30 Floral St., Shrewsbury (V14-293) - variance application and supplemental information
- Boston Convention and Exhibition Center, 415 Summer Street, Boston (V14-300) - variance application and supplemental information
- Olmsted Place, 161 South Huntington Avenue, Jamaica Plain (V14-286) - variance application and supplemental information
- Russian School of Mathematics, 1615 Beacon Street, Brookline (V14-292) - variance application and supplemental information
- Sharon Town Hall, 90 South Main Street, Sharon (V14-282) - variance application and supplemental information
- Frost Library, Amherst College, 61 Quadrangle Drive, Amherst (V14-283) - variance application and supplemental information
- Old Town Hall, 43 Main St., Easthampton (V14-290) - variance application and supplemental information
- Memorial Stair, Tufts University, College Avenue, Medford (V14-298) - variance application and supplemental information
- Sidewalk Cross slopes, SW Corner of High St and Cambridge St., Winchester (V14-278) - variance application and supplemental information
- Dilloway Thomas House, 183 Roxbury Street, Boston (V14-280) - variance application and supplemental information
- Press Box at Sabourin Field, 9 Muddy Way, Bedford (V14-285) - variance application and supplemental information
- Richardson House, 28 Professor's Row, Somerville (V14-279); Sigma Nu Fraternity, 92 Professor's Row, Somerville (V14-287); Tousey House, 14 Edison Avenue, Medford (V14-288); Alpha Epsilon Pi, 45 Sawyer Avenue, Somerville (V14-289); Stratton Hall, 45 Talbot Avenue, Somerville (V14-291) - variance applications and supplemental information
- Residential Building, 115 Mt. Auburn Street, Cambridge (V12-170) - e-mail from Larry Braman, City of Cambridge on October 9, 2014 , objecting to the project
- St. Paul's Church, 16 Fair Street, Nantucket (V14-149) - October 31, 2014 email from John Stover, seeking extension of temporary CO that expired on September 15, 2014
- Papas Law Library and Auditorium, 765-767 Commonwealth Ave., Boston (V14-252) - Paul Rinaldi, October 17, 2014 letter requesting additional review
- St. Spyridon Food Bank, 102 Russell Street, Worcester (C14-069 & V14-237) - plan submittal to fix the accessible entrance, submitted on October 24, 2014
- McGauvran Hall, UMass Lowell, 71 Wilder St., Lowell (V14-243) - October 28, 2014 submittal from Peter Harrod for the installation of a LULA
- Bright Stars Preschool, 240 Washington Street, North Easton (V13-179) - letter on October 10, 2014 from Melissa DePasquale, seeking additional time to comply

- Columbus Park Prep Academy, 75 Lowell St., Worcester (V14-274) - met with architect and building official on October 31, 2014, request of additional 60 days to submit review analysis of property
- Lone Star Taco Bar, 635 Cambridge St., Cambridge (V14-262) - plan submittal showing cross section accessible with a sloped landing of 27.4%, submitted via Aaron Sanders on October 31, 2014; e-mail from Aaron Lindsay on October 28, 2014, showing pictures of entrances and proposed signage
- Johnson Building, Boston Public Library, 230 Dartmouth Street, Boston (V14-219) - November 7, 2014 e-mail from Tom O'Brien of United Elevator, concerned with dimensions of the proposed lift
- Schofield Elementary School, 27 Cedar St., Wellesley (V14-168) - playground submittal by Jennifer Soucy on October 30, 2014
- First Parish Unitarian Universalist Church, 630 Mass. Ave., Arlington (V14-111) - 10/28/14 e-mail from Peter Noble, regarding amendment ordered in the August 12, 2014 decision of the Board
- Grafton Town House, One Grafton Common, Grafton (V10-081) - October 24, 2014 submittal from Tim McInerney, Grafton Town Administrator
- Shopping Plaza, 231 North Main Street, Natick (C14-081) - October 2, 2014 letter from Ann Soboluski requesting until September 30, 2015 to provide compliant walkway and entrances into the tenant spaces
- Parking at Kimball Farm, 1542 Lunenburg Road, Lancaster (C14-058) - submittal from owner, dated September 29, 2014, showing new parking locations
- Parking at Sandy Point State Reservation, Plum Island, Newbury (C13-076) - photos from DCR received by the Board on September 26, 2014
- Schneider Center & Billings Hall Link Building, Wellesley College, 106 Central St., Wellesley (V14-141) - 10/27/14 email from Amy Prange
- Community Church of West Medway, 200 North Main St., Medway (V10-036) - submittal from Betsey Nelson dated 10/26/14, seeking additional time
- Manderva LLC, 46 Inn Street, Newburyport (V14-255) - drawing of the ramp SK #4, dated 10/8/14